

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
**APR 01 2011**

BY DAVID J. HENNING, CLERK  
DEPUTY \_\_\_\_\_

J. UMOREN  
Plaintiff,

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CASE NO. 4:09cv413

v.

PLANO I.S.D. BOARD OF TRUSTEES, et al.,  
Defendants.

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On March 14, 2011, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Plano Independent School District's Motion for Summary Judgment (Dkt. 87) should be GRANTED, that Plaintiff's Motion and Notice of Motion for Summary Judgment (Dkt. 90) should be DENIED, and that Plaintiff should take nothing by his claims here.

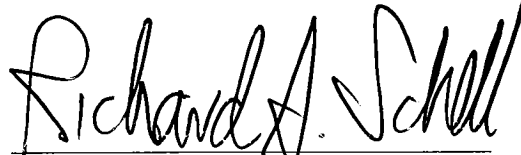
Plaintiff filed his objections to the report on March 29, 2011. On March 30, 2011, Plaintiff filed a Motion for Leave to Replace and/or Amend Plaintiff's Objections to the Magistrate Judge's Report and Recommendation (Dkt. 137) and filed amended objections (*see* Dkt. 139). Plaintiff's motion to replace and/or amend his objections is GRANTED, and the court has considered the amended objections.

The court has made a *de novo* review of the objections raised by Plaintiff. The court has also made a *de novo* review of the entire summary judgment record, not solely the evidence specifically listed by the Magistrate Judge in his report. The court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections are without merit as to the ultimate finding that there is no fact issue here. Therefore, the court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court.

Plano Independent School District's Motion for Summary Judgment (Dkt. 87) is GRANTED, Plaintiff's Motion and Notice of Motion for Summary Judgment (Dkt. 90) is DENIED, and Plaintiff shall take nothing by his claims here.

**IT IS SO ORDERED.**

**SIGNED** this 1<sup>st</sup> day of April, 2011.

  
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RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE